THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.Nos.21055 of 1999 &
3709 of 2000

COMMON ORDER:

W.P.No.21055 of 1999

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not fixing the seniority of the petitioner in the seniority list of Junior Assistants working in 6A Category Temples even though the petitioner has been working in 6A category temples for the last six and half years while extending similar benefit to other similarly situated persons as arbitrary and illegal.

It appears, petitioner was appointed as a Junior Assistant in the Patha Lakshmi Narasimha Swamy Devasthanam, Peddireddygudem, (6B category Temple) with effect from 1.4.1983. According to the petitioner, since Patha Lakshmi Narasimha Swamy Devasthanam, Peddireddygudem was not able to maintain on its own, it was amalgamated with Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta (6A category Temple), with effect from 25.3.1999 and the Patha Lakshmi Narasimha Swamy Devasthanam, Peddireddygudem was deleted from the list of 6B category temples in view of its amalgamation. According to the petitioner, once amalgamation takes place as contemplated under Section 145(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, he is entitled for seniority on par with other employees working in Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta, but the respondents are not considering his seniority in the cadre of Junior Assistant and he was deprived of his promotion.

In view of the above, without expressing any opinion on merits,

the writ petition is disposed of directing the petitioner to make a detailed representation in this regard to the respondents and the respondents shall consider the same for fixing seniority of the petitioner in the cadre of Junior Assistant, and pass appropriate orders within a period of two months from the date of receipt of the representation. The petitioner shall file representations within four weeks from the date of receipt of this order.

W.P.No.3709 of 2000

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not absorbing the petitioner in regular vacancy of Junior Assistant and not extending the 1999 Pay Scales and non-releasing of increments and not permitting to encash the earned leave as arbitrary, illegal and consequently to direct the respondents to absorb the petitioner in a regular vacancy of Junior Assistant by extending 1999 Pay Scales.

There is no necessity of going into all the details. The learned counsel for petitioner states that during the pendency of the writ petition, the petitioner was put on 1999 Pay scales and he was paid arrears and he is being granted increments regularly. Insofar as absorption of petitioner on regular basis is concerned, though a detailed counter affidavit is filed by the respondents, they did not state anything about the absorption of the petitioner with regard to his entitlement or otherwise.

Under these circumstances, the petitioner is directed to make a detailed representation to the respondents for absorption as Junior Assistant and on receiving such representation, the respondents shall consider the same for absorption of petitioner as Junior Assistant from the date of his first appointment i.e. 1.4.1983, if he is eligible as per law

within a period of three months from the date of receipt of the representation. The petitioner shall make a representation within four weeks from the date of receipt of this order.

Both the writ petitions are accordingly disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 30.4.2007

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THE HON'BLE SRI JUSTICE C.V. RAMULU

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W.P.Nos.21055 of 1999 &
3709 of 2000

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30.4.2007

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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.Nos.21055 of 1999 &
3709 of 2000

Dated: 30th April 2007

Between:

G.Rama Rao

Petitioner in both W.Ps.

and

The Executive Officer,
Sri Lakshmi Narasimha Swamy Vari
Devasthanam, Yadagirigutta,
Nalgonda district & another.

… Respondents in both W.Ps.